

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-18 are pending. Claims 1, 3, 10, 12, 13 and 14 are hereby amended. Support for this amendment is provided throughout the Specification as originally filed, and specifically at page 11. No new matter has been introduced by this amendment. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

**II. REJECTIONS UNDER 35 U.S.C. §112**

Claims 1-18 were rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the written description requirement, and 35 U.S.C. §112, second paragraph as allegedly failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

Independent claims 1, 3, 10, 12, and 14 are hereby amended, obviating the rejections.

### **III. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1, 7, 14, and 17 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,297,171 to Koch (hereinafter, merely “Koch”) in view of U.S. Patent No. 6,628,700 to Miura (hereinafter, merely “Miura”)

Claims 2 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Koch in view of Miura and further in view of U.S. Patent No. 6,847,678 to Berezdivin, et al. (hereinafter, merely “Berezdivin”)

Claims 3, 10, and 12 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Koch in view of Miura and further in view of U.S. Patent No. 6,879,624 to Sano (hereinafter, merely “Sano”)

Claims 4, 11, 13, and 15 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Koch in view of Miura and further in view Sano and further in view of Berezdivin.

Claims 5 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Koch in view of Miura and further in view of U.S. Patent No. 5,090,028 to Crebouw (hereinafter, merely “Berezdivin”)

Claims 6 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Koch in view of Miura and further in view of Crebouw and further in view of U.S. Publication No. 2002/0176516 to Jeske, et al. (hereinafter, merely “Jeske”)

Claims 8 and 9 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Koch in view of Miura and further in view of U.S. Publication No. 2006/0126715 to Lai, et al. (hereinafter, merely “Lai”)

Claim 16 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Koch in view of Miura and further in view of Sano and further in view of Crebouw.

Claim 18 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Koch in view of Miura and further in view of Sano and Lai.

#### IV. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“...wherein a path weight is estimated for each of the plurality of correlation branches by de-scrambling and de-spreading each received signal, forming an exponential weighted average or a sliding window average, and using a conjugate of the average to calculate a weighted average for each path, prior to combining the outputs of the correlation branches, using a plurality of parallel fingers that are independent of a CDMA demodulator.” (Emphasis added)

As understood by Applicant, Koch relates to a diversity receiver having at least two receive branches, and only one equalizer. Each receive branch includes a matched filter and circuits for forming an autocorrelation function for each estimated impulse response of the individual receive branches.

As understood by Applicant, Miura relates to a CDMA reception method wherein a plurality of different reference reception delay amounts are preset on the basis of a correlation profile obtained by de-spreading a reception signal. A plurality of correlation values are obtained on the basis of at least each of the preset reference reception delay amounts

As understood by Applicant, Sano relates to detecting multipath waves on a transmission line based on a plurality of despread signals corresponding to fixed directional beams. An adaptive beam forming section forms an adaptive beam combined signal for each path, using a weight generated by an adaptive algorithm and the despread signals.

Applicant respectfully submits that nothing has been found in Koch, Miura or Sano, taken alone or in combination, that would teach or suggest the above-identified features of claim 1. Specifically, Koch, Miura, and Sano fail to teach or suggest that a path weight is estimated for each of the plurality of correlation branches by de-scrambling and de-spreading each received signal, forming an exponential weighted average or a sliding window average, and using a conjugate of the average to calculate a weighted average for each path, prior to combining the outputs of the correlation branches, using a plurality of parallel fingers that are independent of a CDMA demodulator, as recited in claim 1.

Therefore, claim 1 is patentable.

Independent claims 3, 10, 12 and 14 are similar, or somewhat similar, in scope and are therefore patentable for similar, or somewhat similar, reasons.

## **V. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

## **CONCLUSION**

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

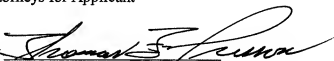
Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicant respectfully submits that all of the claims are in condition for allowance and requests early passage to issue of the present application.

Respectfully submitted,

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